

# EXHIBIT B

Kimberly Kenton, M.D.

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IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION

IN RE: ETHICON, INC.,	)	
PELVIC REPAIR SYSTEM	)	
PRODUCTS LIABILITY	)	Master File No.
LITIGATION	)	2:12-MD-02327
	)	MDL 2327
	)	
	)	
	)	JOSEPH R. GOODWIN
	)	U.S. DISTRICT JUDGE
THIS DOCUMENT RELATES TO:	)	
THE CASES LISTED BELOW	)	
	)	
	)	
Mullins, et al. V.	)	2:12-cv-02952
Ethicon, Inc., et al.	)	
	)	
Sprout, et al. V.	)	2:12-cv-07924
Ethicon, Inc., et al.	)	
	)	
Iquinto v. Ethicon, Inc.,	)	2:12-cv-09765
et al.	)	
	)	
Daniel, et al. V.	)	2:13-cv-02565
Ethicon, Inc., et al.	)	
	)	
Dillon, et al. V.	)	2:13-cv-02919
Ethicon, Inc., et al.	)	
	)	
Webb, et al. V. Ethicon,	)	2:13-cv-04517
Inc., et al.	)	
	)	
Martinez v. Ethicon,	)	2:13-cv-04730
Inc., et al.	)	
	)	
McIntyre, et al. V.	)	2:13-cv-07283
Ethicon, Inc., et al.	)	

CONTINUED VIDEOTAPED DEPOSITION OF KIMBERLY KENTON, M.D.  
Friday, February 19, 2016, 8:10 a.m.

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<p>1 Oxley v. Ethicon, Inc., ) 2:13-cv-10150 2 et al. ) 3 Atkins, et al. V. ) 2:13-cv-11022 4 Ethicon, Inc., et al. ) 5 Garcia v. Ethicon, Inc., ) 2:13-cv-14355 6 et al. ) 7 Lowe v. Ethicon, Inc., et ) 2:13-cv-14718 8 al. ) 9 Dameron, et al. V. ) 2:13-cv-14799 10 Ethicon, Inc., et al. ) 11 Vanbuskir, et al., v. ) 2:13-cv-16183 12 Ethicon, Inc., et al. ) 13 Mullens, et al. V. ) 2:13-cv-16564 14 Ethicon, Inc., et al. ) 15 Shears, et al. V. ) 2:13-cv-17012 16 Ethicon, Inc., et al. ) 17 Javins, et al., v. ) 2:13-cv-18479 18 Ethicon, Inc., et al. ) 19 Barr, et al. V. Ethicon, ) 2:13-cv-22606 20 Inc., et al. ) 21 Lambert v. Ethicon, Inc., ) 2:13-cv-24393 22 et al. ) 23 Cook v. Ethicon, Inc., et ) 2:13-cv-29260 24 al. ) Stevens v. Ethicon, Inc., ) 2:13-cv-29918 et al. ) Harmon v. Ethicon, Inc., ) 2:13-cv-31818 et al. ) CONTINUED VIDEOTAPED DEPOSITION OF KIMBERLY KENTON, M.D. Friday, February 19, 2016, 8:10 a.m.</p>	<p>1 2 3 4 The resumption of the videotaped deposition 5 of KIMBERLY KENTON, M.D., called by the Plaintiffs 6 for examination, taken pursuant to the Federal 7 Rules of Civil Procedure of the United States 8 District Courts pertaining to the taking of 9 depositions, taken before CORINNE T. MARUT, C.S.R. 10 No. 84-1968, Registered Professional Reporter and a 11 Certified Shorthand Reporter of the State of 12 Illinois, at the offices of Drinker Biddle &amp; Reath 13 LLP, Suite 3700, 191 North Wacker Drive, Chicago, 14 Illinois, on February 19, 2016, commencing at 8:10 15 a.m. 16 17 18 19 20 21 22 23 24</p>
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<p>1 Snodgrass v. Ethicon, ) 2:13-cv-31881 2 Inc., et al. ) 3 Miller v. Ethicon, et al. ) 2:13-cv-32627 4 Matney, et al. V. ) 2:14-cv-09195 5 Ethicon, Inc., et al. ) 6 Jones, et al. V. Ethicon, ) 2:14-cv-09517 7 Inc., et al. ) 8 Humbert v. Ethicon, Inc., ) 2:14-cv-10640 9 et al. ) 10 Gillum, et al. V. ) 2:14-cv-12756 11 Ethicon, Inc., et al. ) 12 Whisner, et al. V. ) 2:14-cv-13023 13 Ethicon, Inc., et al. ) 14 Tomblin v. Ethicon, Inc., ) 2:14-cv-14664 15 et al. ) 16 Schepleng v. Ethicon, ) 2:14-cv-16061 17 Inc., et al. ) 18 Tyler, et al. V. Ethicon, ) 2:14-cv-19110 19 Inc., et al. ) 20 Kelly, et al. V. Ethicon, ) 2:14-cv-22079 21 Inc., et al. ) 22 Lundell v. Ethicon, Inc., ) 2:14-cv-24911 23 et al. ) 24 Cheshire, et al. V. ) 2:14-cv-24999 Ethicon, Inc., et al. ) Burgoyne, et al. V. ) 2:14-cv-28620 Ethicon, Inc., et al. ) Bennett, et al. V. ) 2:14-cv-29624 Ethicon, Inc., et al. ) CONTINUED VIDEOTAPED DEPOSITION OF KIMBERLY KENTON, M.D. Friday, February 19, 2016, 8:10 a.m.</p>	<p>1 APPEARANCES: 2 ON BEHALF OF THE PLAINTIFFS: 3 MOTLEY RICE LLC 4 321 South Main Street 5 Providence, Rhode Island 02903 6 401-457-7728 7 BY: FIDELMA L. FITZPATRICK, ESQ. 8 ffitzpatrick@motleyrice.com 9 10 MOTLEY RICE LLC 11 28 Bridgeside Boulevard 12 Mt. Pleasant, South Carolina 29464 13 843-518-0645 14 BY: MARGARET M. THOMPSON, M.D., J.D. 15 mthompson@motleyrice.com 16 17 WAGSTAFF &amp; CARTMELL, LLP 18 4740 Grand Avenue, Suite 300 19 Kansas City, Missouri 64112 20 816-701-1100 21 BY: JEFFREY M. KUNTZ, ESQ. 22 jkuntz@wcllp.com 23 24 ON BEHALF OF THE DEFENDANTS: BUTLER SNOW LLP 500 Office Center Drive, Suite 400 Fort Washington, Pennsylvania 19034 267-513-1885 BY: NILS B. (BURT) SNELL, ESQ. Burt.Snell@butlersnow.com BUTLER SNOW LLP 1020 Highland Colony Parkway, Suite 1400 Ridgeland, Mississippi 39157 601-985-4596 BY: PAUL S. ROSENBLATT, ESQ. Paul.Rosenblatt@butlersnow.com VIDEOTAPED BY: MILO SAVICH REPORTED BY: CORINNE T. MARUT, C.S.R. No. 84-1968</p>

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Golkow Technologies, Inc. - 1.877.370.DEPS

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<p>1 A. It's easier for me to --</p> <p>2 Q. That's fine.</p> <p>3 A. Oddly, I don't have it in the right</p> <p>4 file.</p> <p>5 I can pull it out of here. So much for</p> <p>6 my filing system.</p> <p>7 I will see if I can pull it up.</p> <p>8 THE WITNESS: Can we connect to the Internet</p> <p>9 here?</p> <p>10 MR. SNELL: Yeah. It's DBR WiFi.</p> <p>11 THE WITNESS: Might just be faster to PubMed</p> <p>12 it.</p> <p>13 MS. FITZPATRICK: It's why they call it the</p> <p>14 Windy City I guess. The windows shake.</p> <p>15 (WHEREUPON, discussion was had off</p> <p>16 the record.)</p> <p>17 THE WITNESS: I apologize for not being able</p> <p>18 to put my hand on this.</p> <p>19 BY MS. FITZPATRICK:</p> <p>20 Q. That's okay. If you don't have it, we</p> <p>21 can move on.</p> <p>22 A. Yeah. Like I can find it for you at</p> <p>23 some point, but I -- it's in this pile somewhere.</p> <p>24 Q. Okay. That's fine.</p>	<p>1 Q. So, we can -- we can move on.</p> <p>2 Of the RCTs that you have looked at for</p> <p>3 mechanically-cut TVT, how many of those had a</p> <p>4 primary endpoint of safety?</p> <p>5 A. In general, you're never going to have a</p> <p>6 primary endpoint of safety for doing a randomized</p> <p>7 controlled trial in something that has a rare</p> <p>8 outcome because you would have to enroll</p> <p>9 millions -- like thousands of women. So, usually</p> <p>10 you have to -- you primary on an efficacy outcome.</p> <p>11 Q. Okay. So, you're not --</p> <p>12 A. Unless something is a common</p> <p>13 complication, and then who would -- had high</p> <p>14 complication rates and then who would be doing an</p> <p>15 RCT? It would be unethical.</p> <p>16 Q. Okay. So, none of them have a primary</p> <p>17 endpoint of safety for the reasons that you have</p> <p>18 just discussed, is that right?</p> <p>19 A. You -- it's not a feasible trial design.</p> <p>20 You have to use a different type of study to</p> <p>21 evaluate that. That's where systematic reviews and</p> <p>22 meta-analyses become powerful.</p> <p>23 THE VIDEOGRAPHER: Excuse me, Doctor, if</p> <p>24 you're not using the laptop, could you move it</p>
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<p>1 So, it's your recollection that there is</p> <p>2 one RCT that compares the laser-cut TVT Retropubic</p> <p>3 to the mechanically-cut TVT Retropubic?</p> <p>4 A. I think it's an RCT. Like I said, I</p> <p>5 can't recall the paper --</p> <p>6 Q. Okay.</p> <p>7 A. -- specifically, but I -- there is -- I</p> <p>8 came across one comparator that I can remember.</p> <p>9 Q. Okay. And I think you said that you</p> <p>10 believe that that was an underpowered study where</p> <p>11 they couldn't confirm their conclusions --</p> <p>12 A. Yes.</p> <p>13 Q. -- is that right?</p> <p>14 A. I would -- I would rather than perhaps</p> <p>15 inaccurately cite the paper, I'd rather find the</p> <p>16 paper.</p> <p>17 Q. Okay.</p> <p>18 A. I didn't -- I didn't feel that it made a</p> <p>19 cogent argument that compelled me to lean one way</p> <p>20 or the other.</p> <p>21 Q. Okay. Why don't maybe at a break we can</p> <p>22 take a look for that. But I know that you have a</p> <p>23 time limitation today.</p> <p>24 A. Yeah.</p>	<p>1 away. That's fine. Thank you.</p> <p>2 BY MS. FITZPATRICK:</p> <p>3 Q. Now, Doctor, you offered an opinion</p> <p>4 yesterday that you believed that the laser-cut</p> <p>5 TVT Retropubic performed the same as the</p> <p>6 mechanically-cut TVT Retropubic. Do you recall</p> <p>7 that?</p> <p>8 A. I do.</p> <p>9 Q. And is that an opinion that you hold</p> <p>10 today?</p> <p>11 A. It is.</p> <p>12 Q. Is that based on any data that is</p> <p>13 available in the literature to support that</p> <p>14 opinion?</p> <p>15 A. The only small study that I recall</p> <p>16 coming across didn't -- wasn't compelling to</p> <p>17 support one versus the other.</p> <p>18 Q. So, what is the basis for your --</p> <p>19 A. And my clinical experience has not been</p> <p>20 that there's a difference.</p> <p>21 Q. I'm --</p> <p>22 A. My clinical experience hasn't been that</p> <p>23 there is a difference as well.</p> <p>24 Q. And your clinical experience, that would</p>

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<p>1 be the anecdotal experience that we had talked 2 about yesterday and this morning, correct? 3 A. That would be -- 4 MR. SNELL: Objection. 5 BY THE WITNESS: 6 A. That would be every surgeon who is 7 giving their overall clinical experience. I would 8 say in general my experiences are probably slightly 9 less anecdotal because I do report outcomes. 10 BY MS. FITZPATRICK: 11 Q. Have you reported outcomes comparing the 12 laser-cut to the mechanically-cut? 13 A. As I've said, I'm only familiar with one 14 paper in the literature that directly compares 15 those two, for that purpose. 16 Q. Okay. I understand that, but you said 17 that you believe your experiences are probably 18 slightly less anecdotal because you do report 19 outcomes, correct? 20 So, what I am asking is have you 21 reported outcomes that compare the TVT 22 mechanically-cut versus the TVT laser-cut? 23 A. I have not. 24 Q. Okay. And you don't track that actually</p>	<p>1 I came -- I transferred institutions and we are 2 using exclusively laser-cut. 3 Q. Okay. But I have a slightly different 4 question than that. 5 A. Okay. 6 Q. Post-2006 how did you know whether you 7 were implanting a mechanically-cut or a laser-cut 8 into women? 9 A. That's a fair point. 10 Q. So, at your prior -- so, before 11 laser-cut hit the market, you know that you 12 implanted only mechanically-cut, correct? 13 A. That's correct. 14 Q. You didn't start to implant the TVT 15 until the mid-2000s, correct? 16 A. Right. So, the only way I would know 17 which one I was using is to go back and pull the 18 records. 19 Q. Okay. Which you haven't done? 20 A. I have not done. 21 Q. Okay. Have you -- do you know who 22 Dr. Nilsson is? 23 A. Nilsson that has published the papers? 24 Q. Yes.</p>
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<p>1 in either your academic work or in your clinical 2 work, correct? 3 A. No, actually, we actually do track our 4 outcomes. 5 Q. Okay. Do you track your outcomes in 6 your clinical work? 7 A. I do. As I said, we see our patients 8 back yearly. 9 Q. Okay. I'm asking you something a little 10 different. 11 Do you track outcomes for patients 12 looking at mechanically-cut versus laser-cut? 13 A. Well, if you tracked -- the only way you 14 can track that type of an outcome is if you're 15 going to retrospectively look at the patients 16 who've had implanted, and we do -- we do keep those 17 data and we see people back yearly. 18 Q. Okay. You keep the data on who's had a 19 mechanically-cut versus who's had a laser-cut, is 20 that right? 21 A. Well, for me it's been rather simple 22 because I practice at one institution and everyone 23 got a mechanically-cut TVT because that was the 24 device that I was using. And then I came here and</p>	<p>1 A. I don't know him personally. 2 Q. Do you know who he is? 3 A. I know his work. 4 Q. Okay. Do you consider that work to be 5 reliable? 6 A. I think that for the -- yes. I mean, 7 it's observational cohort data, so it's not as good 8 as RCT data. But you're never going to be able to 9 do a randomized controlled trial and follow women 10 for 10 or 20 years because no one is going to pay 11 for it. 12 And as the SISTER trial showed, women 13 that are happy and incontinent tend to not enroll 14 in long-term follow-up. 15 Q. So, Doctor -- but you are familiar with 16 Dr. Nilsson's work, is that right? 17 A. I am. 18 Q. Are you familiar with any of 19 Dr. Nielsen's opinions about the differences, if 20 any, between laser-cut and mechanically-cut mesh? 21 A. No. 22 Q. Has anyone from Ethicon ever shared that 23 information with you? 24 A. If they have, I don't recall it.</p>

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<p>1 Surgery" that was published in 2015.</p> <p>2 Have you seen this article before?</p> <p>3 A. I've seen it.</p> <p>4 Q. Have you read it?</p> <p>5 A. I have not.</p> <p>6 Q. Okay. And are you familiar with any of</p> <p>7 the authors?</p> <p>8 A. I know Dr. Blaivas.</p> <p>9 Q. Is there anyone else here that you know?</p> <p>10 A. No.</p> <p>11 Q. How do you know Dr. Blaivas?</p> <p>12 A. He used to be the editor for one of our</p> <p>13 journals. I've taught in a course with him before.</p> <p>14 Q. Now, you've offered opinions here on</p> <p>15 safety issues concerning the TVT sling, correct?</p> <p>16 A. Correct.</p> <p>17 Q. Why haven't you read this article?</p> <p>18 A. This is essentially a book chapter that</p> <p>19 is just one, a group of people reviewing it and not</p> <p>20 in a systematic format and formulating their</p> <p>21 opinions.</p> <p>22 Q. Okay.</p> <p>23 A. I think that maybe ten years ago when I</p> <p>24 was a fellow I would have read something like this.</p>	<p>1 starting on page 22.</p> <p>2 And you'll see that he has cited a total</p> <p>3 of 397 papers in conjunction with his observations</p> <p>4 on midurethral slings. Do you see that?</p> <p>5 MR. SNELL: Same objections.</p> <p>6 BY THE WITNESS:</p> <p>7 A. Yes.</p> <p>8 BY MS. FITZPATRICK:</p> <p>9 Q. Okay. And if you can take a quick look</p> <p>10 through this, since you haven't done that before,</p> <p>11 to just tell me if you've seen many of these papers</p> <p>12 that he has cited before in connection with your</p> <p>13 work.</p> <p>14 A. I mean, I've seen -- I've seen some of</p> <p>15 the papers, yes.</p> <p>16 Q. Okay. And do you consider them to be</p> <p>17 reliable and authoritative papers?</p> <p>18 A. I think some of the data are reliable</p> <p>19 and authoritative. I think others are nothing</p> <p>20 level than retrospective case series that probably</p> <p>21 wouldn't even be published in high-quality journals</p> <p>22 right now.</p> <p>23 Q. Okay. Tell me which ones you believe</p> <p>24 are nothing less than retrospective case studies</p>
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<p>1 This isn't how I base my opinions anymore.</p> <p>2 Q. Okay. Well, let's go through some of</p> <p>3 this because I want to see how much of it that you</p> <p>4 agree with.</p> <p>5 And Dr. Blaivas, when going through</p> <p>6 this, has looked at safety and risk/benefit</p> <p>7 considerations in conjunction with the use of</p> <p>8 polypropylene midurethral slings and has identified</p> <p>9 specific complications that may be associated with</p> <p>10 polypropylene slings.</p> <p>11 Do you understand that?</p> <p>12 If you take a look at this article,</p> <p>13 let's start with on page 7 with "Infection."</p> <p>14 MR. SNELL: I'm going to object to the</p> <p>15 predicate as to what he did. Lacks foundation. Go</p> <p>16 ahead.</p> <p>17 BY MS. FITZPATRICK:</p> <p>18 Q. And do you see that Dr. Blaivas has</p> <p>19 cited a number of references in connection with his</p> <p>20 opinions or his observations on infections</p> <p>21 associated with polypropylene slings?</p> <p>22 A. I see that he's stated and listed some</p> <p>23 papers, yes.</p> <p>24 Q. Okay. And let's look at the back,</p>	<p>1 that wouldn't be published in high-quality journals</p> <p>2 right now.</p> <p>3 A. "A primary sling for everyone with</p> <p>4 genuine stress incontinence."</p> <p>5 So, anything that predates the</p> <p>6 Ward-Hilton trial, that was the first randomized</p> <p>7 controlled trial that came out comparing --</p> <p>8 adequately powered multi-center randomized</p> <p>9 controlled trial comparing any -- comparing any</p> <p>10 slings. So, I think that prior to that, these data</p> <p>11 were what they were, but that's what -- the kind of</p> <p>12 research where people were doing.</p> <p>13 I am happy and proud to say as part of</p> <p>14 the research community in pelvic floor disorders</p> <p>15 that the level of our research and outcome data has</p> <p>16 improved.</p> <p>17 Q. Okay. So, but take a look at No. 4.</p> <p>18 No. 4 predates the Ward-Hilton study, correct?</p> <p>19 A. The Chaikin article?</p> <p>20 Q. Yes.</p> <p>21 A. Yes.</p> <p>22 Q. But it deals with pubovaginal fascial</p> <p>23 slings, correct?</p> <p>24 A. Yep.</p>

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<p>1 BY THE WITNESS:  2 A. Yeah, I disagree with that but...  3 BY MS. FITZPATRICK:  4 Q. You can. You can comment on the quality  5 of the literature even though you haven't looked at  6 this, you haven't read it and you don't know what's  7 in these footnotes?  8 A. We just spent probably 15 minutes going  9 through some of the paper -- some of the --  10 Q. We went through two --  11 A. Read the paper.  12 Q. We went through two of 397.  13 A. No, we went through the -- read several  14 paragraphs of how he came upon those conclusions.  15 Q. I'm talking about the data that's in the  16 390 -- you've never -- let's do it this way.  17 Turn to page 22 of Dr. Blaivas'.  18 A. I'm not going to go --  19 Q. You've never read this page before, have  20 you?  21 A. I'm not going to go through --  22 Q. Have you ever read this page before,  23 Doctor?  24 A. The references, his references?</p>	<p>1 familiar with many of these papers. I can  2 eyeball --  3 Q. You don't know what he cites?  4 MR. SNELL: Don't interrupt. She is answering  5 your question.  6 BY THE WITNESS:  7 A. And I can eyeball many of these studies  8 and know that I have seen them in the past,  9 probably 15 years ago. I would have actually read  10 some of them. And they are like antiquated and  11 not -- they have been replaced by higher quality  12 data.  13 BY MS. FITZPATRICK:  14 Q. Okay. Is there any high-quality data  15 that's referenced in Dr. Blaivas' 397 footnotes?  16 A. Sure. There is the -- there is a  17 reference for -- I just saw it. The -- one of --  18 the TOMUS 24-month outcome paper is referenced  19 there.  20 Q. What's missing from this that you  21 consider to be high-quality data that Dr. Blaivas  22 should have relied on?  23 A. I think that it's --  24 Q. What data is missing from here?</p>
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<p>1 Q. Yes.  2 A. I have not read that particular page of  3 his references.  4 Q. Have you read page 23? Have you read  5 that reference?  6 A. Actually we did look at page 22.  7 Q. Have you read this whole page, Doctor?  8 A. I have skimmed that page.  9 Q. Have you read this page?  10 A. Yes.  11 Q. Do you know what these 51 articles are?  12 A. I don't know all of them. I know a  13 great deal of them.  14 Q. Doctor, you never looked at it before  15 you sat down.  16 MR. SNELL: Objection; form.  17 BY MS. FITZPATRICK:  18 Q. You've never looked at this. You have  19 never looked at this paper and yet you are going to  20 tell a jury here that you've read through these 51  21 and you know enough of what these are and are not?  22 A. I do. I -- as I've indicated earlier in  23 my testimony, I spent a great deal of time going  24 through the peer-reviewed literature. I am</p>	<p>1 A. I can't tell go through here and tell  2 you what's missing, but I can --  3 Q. That's because you haven't read it,  4 right?  5 A. I can tell you what's included. There's  6 reasons that many of these papers aren't included  7 in a systematic review, which we have established  8 is -- or meta-analyses, is the highest level of  9 evidence we have.  10 Q. So, your complaint with Dr. Blaivas'  11 paper is that he cites -- he provides too much  12 information, he cites too many papers?  13 A. He provides --  14 Q. Not that he hasn't cited relevant ones.  15 Correct?  16 MR. SNELL: Form.  17 BY THE WITNESS:  18 A. Well, I think you can by -- I think he  19 cites relevant and irrelevant and doesn't  20 effectively weight them appropriately.  21 BY MS. FITZPATRICK:  22 Q. Can I ask you, how do you know that if  23 you haven't read the paper?  24 A. Because that is what a review article</p>

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